



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 13 2011

REPLY TO THE ATTENTION OF:

L-8J

Mr. Christopher D. Harvey, PE  
TRC  
230 W. Monroe Street  
Suite 2370  
Chicago, Illinois 60606

RE: Hayton Area Remediation Project (HARP)  
Operable Unit 3 (OU-3) Reaches K, L and M

Dear Mr. Harvey:

The U.S. Environmental Protection Agency hereby grants approval to TRC to remove and dispose of PCB contaminated soil and sediment from Reaches K, L and M in Operable Unit 3 (OU-3) of the Hayton Area Remediation Project (HARP) in New Holstein, Wisconsin. This approval is based on our review of the information (workplan), listed below, you submitted to EPA and the Wisconsin Department of Natural Resources (WDNR).

- July 18, 2011 Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach K, Hayton Area Remediation Project
- September 6, 2011 Revised Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach K, Hayton Area Remediation Project
- July 20, 2011 Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach L, Hayton Area Remediation Project
- October 3, 2011 Revised Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach L, Hayton Area Remediation Project
- July 21, 2011 Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach M, Hayton Area Remediation Project
- October 12, 2011 Revised Proposed Overbank Removal Boundaries and PRV Sample Locations, Operable Unit 3, Reach M, Hayton Area Remediation Project

This approval is granted under the Toxic Substances Control Act (TSCA) and in accordance with the Federal PCB regulations codified at 40 C.F.R. § 761.61(c), Risk-Based Disposal Approval. Under a risk-based disposal approval, the Regional Administrator may approve a method to sample, cleanup or dispose of PCB remediation waste if it is found that the method will not pose

an unreasonable risk of injury to human health or the environment. The authority to grant such approvals in this Regional office has been delegated to the Director of the Land and Chemicals Division.

This approval is effective as of the date of this letter and allows TRC to excavate and dispose of PCB contaminated material from the channel bed, stream bank and overbank areas in Reaches K, L and M. Remediation of PCB contaminated material from the channel bed, stream bank and overbank areas must be in accordance with the removal areas depicted in the Sample Results and Excavation Boundaries drawings (Figure 1) included with the revised workplans for Reaches K, L and M. All sampling, cleanup and disposal activities must be carried out in accordance with the November 11, 2011 approval issued to TRC by the WDNR.

TRC is responsible for ensuring continued compliance with all applicable provisions of TSCA, the federal PCB regulations and the conditions of this approval. Any departure from the conditions of this approval must receive prior written authorization from this office. Further, this approval does not relieve TRC from compliance with any other federal, state or local regulatory requirements, and does not preclude EPA from initiating any enforcement action, including an action seeking civil penalties, for any violation.

If you have any questions regarding this approval, please do not hesitate to call Jean Greensley, of my staff, at (312) 353-1171.

Sincerely,

A handwritten signature in black ink, appearing to read 'Margaret M. Guerriero', with a stylized, flowing script.

Margaret M. Guerriero  
Director  
Land and Chemicals Division

Enclosure

cc: James Baumann, Wisconsin Department of Natural Resources  
Deborah D. Johnson, Wisconsin Department of Natural Resources

**bcc: Jean Greensley, EPA**  
**Peter Ramanauskas, EPA**